IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:23-CT-3021-M

BOBBY MCKINLEY CANADY,)	
Plaintiff,)	
v.)	ORDER
DAVID BATEHOLTS,)	
Defendant.)	

This matter is before the court on referral to the undersigned for a court-hosted settlement conference [DE-62] to be held on Monday, April 21, 2025, at 9:30 a.m., Courtroom 2, Terry Sanford Federal Building and Courthouse, Raleigh, North Carolina. This order serves to inform the parties and counsel of the court's expectations at the conference.

Attendance shall be in conformity with Local Civil Rule 101.2(d)(1), unless excused by the court pursuant to Local Civil Rule 101.2(d)(2). The Clerk's Office shall prepare the writ to procure Plaintiff's attendance.

The purpose of the settlement conference is to facilitate settlement of the case if that is appropriate. The settlement conference will be conducted in such a manner as not to prejudice any party in the event settlement is not reached. Notwithstanding the provisions of Rule 408 of the Federal Rules of Evidence, all statements made by the parties relating to the substance or merits of the case, whether written or oral, made for the first time during the settlement conference, shall be deemed to be confidential and shall not be admissible in evidence for any reason in the trial of the case, should the case not settle. This provision does not preclude admissibility in other contexts, such as pertaining to a motion for sanctions regarding the settlement conference. To that

end, all matters communicated to the undersigned in confidence will remain confidential and will not be disclosed to any other party or to the trial judge. The undersigned will not serve as the trial judge in this case.

Parties shall submit confidential settlement memoranda to the undersigned by no later than Monday, April 14, 2025. Memoranda should not be filed with the court but rather shall be submitted directly to chambers by e-mail to Documents_Judge_Jones@nced.uscourts.gov.¹ Such memoranda should include a concise statement of the factual issues, issues of law, damages, settlement negotiation history of the case, and the evidence the party expects to produce at trial, should not exceed four (4) pages, and need not be served on other parties. All matters disclosed in settlement memoranda are confidential and may not be disclosed to the trial judge or used in any way should the case not settle.

Except to the extent modified herein, the conference shall be governed by the provisions of the Local Civil Rules.

SO ORDERED, the 3 day of March, 2025.

Robert B. Jones, Jr.

United States Magistrate Judge

¹ This is a receipt-only email address and should not be used for any other correspondence with the court.